



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

AUG 27 2014

PROMPT REPLY NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

To: See Attached List

Re: Request for Information Pursuant to Section 104 of CERCLA
Superior Barrel and Drum Site, Elk, Gloucester County, New Jersey

Dear Sir/Madam:

The United States Environmental Protection Agency ("EPA") is charged with responding to the release or threatened release of hazardous substances, pollutants, and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §9601, *et seq.* (also known as the "Superfund" law). For your information, a copy of the Superfund law may be found at www.epa.gov/superfund/action/law/index.htm.

This letter seeks your cooperation in providing information and documents relating to the Superior Barrel and Drum Superfund Site (the "Site") located at 798 Jacob Harris Lane, (formerly New Jersey Avenue), Elk, Gloucester County, New Jersey. EPA encourages you to give this letter your immediate attention. A complete and truthful response must be provided to the attached Request for Information **within 30 days** of your receipt of this letter.

EPA has documented the release and threatened release of hazardous substances into the environment at the Site. Our records indicate that your company may have done business with Superior Barrel and Drum Company, Inc. ("SBD"), which was in operation from approximately 1974 to September, 2013, when EPA began a removal action at the Site. EPA requests your cooperation with regard to answering the attached questions concerning your business relationship with SBD, if any, and providing the requested supporting documentation.

Past operations at the Site included the recycling, reprocessing and reconditioning of drums. The five and a half-acre, unpaved Site consists of two former operational areas (2.4 acres and 0.32 acre in size). The main area includes a drum reprocessing building with containers located throughout. The second operational area was mainly utilized for storage of hundreds of full 275-gallon totes and 55-gallon drums, in addition to several trailers holding containers. Both operational areas showed signs of impact from leaking containers or dumping of materials.

489655



Internet Address (URL) • <http://www.epa.gov>

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On August 30, 2013 EPA On-Scene Coordinators ("OSCs") met with the New Jersey Department of Environmental Protection ("NJDEP") and Gloucester County officials at the Site. They observed thousands of containers, which appeared to be full of contents. Many were located along a public road (Jacob Harris Lane) as well as in the woods, wetlands and elsewhere throughout the property in various states of deterioration. The containers were found to be leaking, void of tops, exposed to the weather elements, rusted, damaged from gunshots, stored improperly and laying on their sides. There were also numerous open trailers also containing 55-gallon drums throughout the Site. The NJDEP collected drum samples which indicated the presence of corrosive and highly flammable materials as well as high levels of toxic chemicals.

EPA performed a removal site evaluation at the Site from September 13, 2013 through September 27, 2013 to determine the Site's eligibility for a removal action pursuant to CERCLA. Based on the results of this assessment, which confirmed the presence of CERCLA designated hazardous substances and the release or potential release of them on-site, the Site became eligible for a removal action, which commenced on September 27, 2013. Information regarding the removal can be found at the following website; <http://www.epa.gov/region2/superfund/removal/superiorbarrel/>.

While EPA seeks your cooperation in the continuing enforcement investigation, compliance with this Request for Information is required by law. When you have prepared your response to the Request for Information, please sign and have notarized the enclosed "Certification of Answers to Request for Information" and return that Certification to EPA along with your response. Please note that false, fictitious, or fraudulent statements or representations may subject your company to civil or criminal penalties under federal law. In addition, Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties for failure to comply with a Request for Information.

Some of the information EPA is requesting may be considered by your company to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish EPA to treat the information confidentially, you must advise EPA of that fact by following the procedures described in the Instructions section which follows this letter, including the requirement for supporting your claim for confidentiality.

If you have information about other parties who may have information which may assist the Agency in its investigation of the Site or may be responsible for the material stored at the Site, that information should be submitted within the time frame noted above.

Please note that if after submitting your response you obtain additional or different information concerning the matters addressed by our Request for Information, it is necessary that you promptly notify EPA. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

See the enclosed Instructions for information on how to respond to the enclosed questions and/or information requests. Your response to this Request for Information should be mailed to:

Ms. Bonnie Hriczko
Removal Action Branch
U.S. Environmental Protection Agency, Region II
2890 Woodbridge Avenue, MS-211
Edison, New Jersey, 08837

A copy of your reply is required to be sent to:

Mr. William Tucker, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region II
290 Broadway, 17th Floor
New York, New York, 10007

If you have any questions regarding this Request for Information, or would like to discuss this matter with EPA, please contact Ms. Hriczko at (732) 321-6647. Inquiries from attorneys should be addressed to Mr. Tucker at (212) 637-3139.

We appreciate and look forward to your prompt response to this matter.

Sincerely yours,



Nicoletta DiForte, Deputy Director
Enforcement and Homeland Security
Emergency and Remedial Response Division

Enclosures

Instructions for responding to request for information

A. Directions

1. A complete and separate response should be given for each question. For each question contained in this letter, if information or documents responsive to this information request are not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.
2. Identify each answer with the number of the question and the subpart to which it responds. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the question to which it applies.
3. Provide responses to the best of your company's ability, even if the information sought was never put down in writing or if the written documents are no longer available. Consult with all present and past employees and agents of your company whom you have reason to believe may be familiar with the matter to which the question pertains.
4. In answering each question, identify each individual and any other source of information (including documents) that were consulted in the preparation of the response to the question.
5. If additional information or documents responsive to this Request becomes known or available to you after you respond to this Request, EPA hereby requests pursuant to CERCLA Section 104(e) that your company supplement its response to EPA within 30 days from the date such information or documents became available to it.
6. If you have reason to believe that an individual other than one employed by your company may be able to provide additional details or documentation in response to any question, state that person's name, last known address, phone number, and the reasons for your belief.
7. If a document is requested but not available, state the reason for its unavailability. To the best of your ability, identify the document by author, date, subject matter, number of pages, and all recipients of the documents with their addresses.
8. If anything is omitted from a document produced in response to the Request for Information, state the reason for, and the subject matter of, the omission.
9. If you cannot provide a precise answer to a question, please approximate but, in any such instance, state the reason for your inability to be specific.

10. Whenever this Request for Information requests the identification of a natural person, or other entity, the person or entity's full name and present or last known address also should be provided.
11. Confidential Information: The information requested herein must be provided even though your company may contend that it includes confidential information or trade secrets. Your company may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, U.S.C. §§ 9604(E)(7)(e) and (F), Section 3007 (b) of RCRA, 42 U.S.C. § 6927(b), and 40 C.F.R. § 2.203(b).

If you make a claim of confidentiality for any of the information your company submits to EPA, your company must prove that claim. For each document or response your company claims is confidential, your company must separately address the following points:

- a. the portions of the information alleged to be entitled to confidential treatment;
- b. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
- c. measures taken by your company to guard against the undesired disclosure of the information to others;
- d. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- e. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
- f. whether your company asserts that disclosure of the information would likely result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp, or type, "confidential" on all confidential responses and any related confidential documents. Confidential portions of otherwise non-confidential documents should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all non-confidential information, including any redacted versions of documents are in one envelope and all materials for which you desire confidential treatment are in another envelope.

All confidentiality claims are subject to EPA verification. It is important that your company satisfactorily show that it has taken reasonable measures to protect the confidentiality of the information and that it intends to continue to do so, and that it is not and has not been obtainable by legitimate means without your company's consent. Information covered by such claim will be disclosed by EPA only to the extent permitted by CERCLA Section 104(e). If no such claim accompanies the information when it is received by EPA, then it may be made available to the public by EPA without further notice to your company.

B. Definitions

1. The term "person" shall include any individual, firm, unincorporated association, partnership, corporation, trust, or other entity.
2. The term "Site" shall mean the 798 Jacob Harris Lane property, which comprises the Superior Barrel and Drum Company, Inc. location.
3. The terms "the Company" and "your Company" shall mean the business addressee which is the recipient of this letter and its predecessors, successors, subsidiaries, divisions, branches, officers, managers, employees, contractors, trustees, partners, assigns or agents.
4. The term "waste" or "wastes" shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances including pollutants or contaminants, whether solid, liquid, or sludge, including but not limited to containers for temporary or permanent holding of such wastes.
5. The term "hazardous substances" shall have the same definition as that contained in Section 101(14) of CERCLA, and includes any mixtures of such hazardous substances, products or other nonhazardous substances.

6. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known employer and business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, occupation, position or business.
7. With respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) the term "identify" means to provide its full name, address, and affiliation with the individual and/or company to whom this request is addressed.
8. The term "document" and "documents" includes any written, recorded computer generated, or visually or aurally reproduced material of any kind in any medium in your possession, custody, or control or known by you to exist, including originals, all prior drafts, and all non-identical copies.
9. The term "material" or "materials" shall mean any and all objects, goods, substances, or matter of any kind, in any quantity, including but not limited to wastes as defined herein.
10. The term "release" shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment, including the abandonment or discarding of any Container or other closed receptacle containing any hazardous substance, pollutant, or contaminant.
11. The term "SBD" shall mean Superior Barrel and Drum Company, Inc.
12. The term "RCRA" shall mean the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq.
13. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA or RCRA, in which case the statutory definitions shall apply.

Atlas Container
c/o Industrial Container Services LLC
6191 Jones Ave
Zellwood, FL 32798
Attn: Calvin G. Lee, President & CEO

DCR Environmental
3600 Conshohocken Ave. Unit 510
Philadelphia, PA 19131
Attn: Dale Reiser, Owner

Straight Arrow
2020 Highland Ave.
Bethlehem, PA 18020
Attn: Devon Katzev, President

Sandy Brae Laboratories, Inc.
(Marine Lube)
3 South Tatnall St.
Wilmington, DE 19801
Attn: Robert Spring, President

Delaware River & Bay Authority
(Cape May Lewes Ferry)
1200 Lincoln Blvd
Cape May, NJ 08204
Attn: Environmental Compliance

Lehigh Surfaces
(Lehigh Cultured Marble, Inc.)
111 Lehigh St.
Macungie, PA 18602
Attn: Navsu Tatikola, President

R.H. Sheppard Co., Inc.
101 Philadelphia St.
Hanover, PA 17331
Attn: Peter Sheppard, President

Bio-Pharm, Inc.
2091 Hartel St.
Levittown, PA 19057
Attn: Umakant C. Shah

Valtech Corp.
(GTR Industries, Inc.)
2113 Sanatoga Station Rd.
Pottstown, PA 19464
Attn: Richard Girard, President

Monarch Environmental Services, Inc.
108 East Lake Road
Woodstown, NJ 08098
Attn: Robert Shrader, President

Lumps Express
1501 Sherman Ave.
Pennsauken, NJ 08110
Attn: Environmental Compliance

Worthington Industries
200 Old Wilson Bridge Rd.
Columbus, OH 43085
Attn: Mark A. Russell, President & CEO

Spring Garden Marina
71 Spring Garden Rd.
Millville, NJ 08332
Attn: Sam Butler, Owner

Sun Chemical Corp.
1879 Commerce Park East
Lancaster, PA 17601
Attn: Environmental Compliance

Stem Brothers
760 Frenchtown Rd
Milford, NJ 08848
Attn: Environmental Compliance

Thermoseal Industries, LLC
400 Water St.
Gloucester, NJ 08030
Attn: Richard Chubb, President

Foley Marine & Industrial Engines, Inc.
200 Summer St.
Worcester, MA 01604
Attn: Susan Foley, VP

Haddon Stone (USA), Ltd
804 Birchfield Dr.
Mt. Laurel, NJ 08054
Attn: David West, President

Hibrett Puratex
7001 Westfield Ave.
Pennsauken, NJ 08110
Attn: John P.J. Madden, President

Lancaster Lubricants, Inc.
1264 Manheim Pike
Lancaster, PA 17601
Attn: Environmental Compliance

Allgrind Plastics, Inc.
PO Box 363
Bloomsbury, NJ 08804
Attn: William Willoughby, Owner

Cassidy Painting, Inc.
475 Airport Rd.
New Castle, DE 19720
Attn: Michael Cassidy, President

Cincinnati Drum Service, Inc.
1 Louise Ct.
Ludlow, Kentucky 41016
Attn: Jeffrey Long, President

Russell-Stanley Corporation
4603 North Point Blvd
Baltimore, MD 21219
Attn: CEO

Rhodia Canada, Inc.
c/o Solvay Canada Inc.
181 Bay Street, Suite 4400
Toronto, Ontario M5J 2T3, Canada
Attn: CEO

Rhone-Polenc, Inc.
c/o Bayer Crop Sciences, Inc.
1000 Bayer Rd.
Pittsburgh, PA 15202
Attn: Chintan Amin

Chelsea Drum Company
300 Beaver St.
Franklin, Pa 02038
Attn: Melvin Ellin, President

Courtaulds Aerospace
c/o PPG Industries, Inc.
One PPG Place
Pittsburgh, Pa 15272
Attn: Jane N. Valenta, VP of Health and Sa

Cincinnati Drum Service, Inc.
c/o Industrial Container Services LLC
6919 Jones Ave.
Zellwood, FL 32798
Attn: Calvin G. Lee, President & CEO

Columbus Steel Drum Co.
Aka Evans Columbus Inc.
6191 Jones Ave.
Zellwood, FL 32789
Attn: Calvin G. Lee, President & CEO

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1. Article Addressed to:

Woburn Steel Drum, Inc.
211 New Boston St.
Woburn, MA 01801
Attn: Anthony Digata, Manager

8SEP 12:53PM

2. Article Number

(Transfer from service label)

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A. Signature

X *Anthony Digata*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

STEVE DIGATA

C. Date of Delivery

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